

AO 441 (Rev. 07/10) Summons on Third-Party Complaint

UNITED STATES DISTRICT COURT

for the  
Southern District of New York

American E Group LLC

*Plaintiff*

v.

Livewire Ergogenics, Inc.

*Defendant, Third-party plaintiff*

v.

Elana Hirsch, JSBarkats PLLC et. al.

*Third-party defendant*

Civil Action No. 1-18-cv-03969-GHW

SUMMONS ON A THIRD-PARTY COMPLAINT

To: *(Third-party defendant's name and address)* Sunny Joseph Barkats a/k/a Sanny Joseph Barkats  
300 East 93rd Street, Apt. 18F  
New York, NY 10128

A lawsuit has been filed against defendant Livewire Ergogenics, Inc., who as third-party plaintiff is making this claim against you to pay part or all of what the defendant may owe to the plaintiff American E Group LLC.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff and on the defendant an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the defendant or defendant's attorney, whose name and address are:

Ryan J. Whalen, Esq.  
Gusrae Kaplan Nusbaum PLLC  
120 Wall Street, New York, NY 10005

It must also be served on the plaintiff or plaintiff's attorney, whose name and address are:  
Christopher P. Milazzo, Esq.  
Carmel, Milazzo & DiChiara LLP  
55 West 39th Street, 18th Fl., New York, NY 10018

If you fail to respond, judgment by default will be entered against you for the relief demanded in the third-party complaint. You also must file the answer or motion with the court and serve it on any other parties.

A copy of the plaintiff's complaint is also attached. You may — but are not required to — respond to it.

Date: \_\_\_\_\_

CLERK OF COURT

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*